

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

LUIS TAMAURA-GARCIA,

Plaintiff

vs.

UNITED STATES DEPARTMENT  
OF JUSTICE,

Defendant

No. CIV-05-766-C

ORDER ADOPTING REPORT AND RECOMMENDATION

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Doyle W. Argo, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). On July 20, 2005, Judge Argo granted Plaintiff's Motion for Leave to Proceed in Forma Pauperis, but required Plaintiff to pay a partial filing fee on or before August 8, 2005. On August 31, 2005, Judge Argo entered a Report and Recommendation concluding that because Plaintiff had not paid the partial filing fee as ordered, the action should be dismissed without prejudice, unless Plaintiff sought a timely extension within which to make the payment, or showed cause for such failure. Plaintiff has not complied, or filed any objection.

Accordingly, the Report and Recommendation is adopted, and this action is dismissed without prejudice.

IT IS SO ORDERED this 29th day of September, 2005.



ROBIN J. CAUTHRON  
United States District Judge